

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 27, 2006

DIVISION ONE

B187959 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Anthony J. et al.

The order terminating parental rights and the orders denying hearings on Mother's petitions for modification are affirmed.

Mallano, Acting P.J.

I concur: Rothschild, J.
I concur in the judgment only: Vogel (Miriam A.), J.

B183869 People (Not for Publication)
 v.
 Young

The trial court is ordered to strike the enhancement imposed under Penal Code section 667.5, subdivision(b), to modify the abstract of judgment to reflect that change and to further reflect 272 days of actual custody credit and 136 days of conduct credit, for a total precommitment credit award of 408 days, and to forward a copy of the revised abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
 Rothschild, J.

DIVISION ONE (Continued)

B185792 Tyler Medical Clinic (Not for Publication)
 v.
 Gess & Associates

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
 Rothschild, J.

B185869 Yin (Not for Publication)
 v.
 Zhong et al.

The judgment is affirmed.

Mallano, Acting P.J.

I concur: Rothschild, J.
I concur in the judgment only: Vogel (Miriam A.), J.

B191403 City of Pasadena (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

The Court:

Therefore let a peremptory writ issue, commanding respondent superior court to vacate it's order, permitting disclosure of documents in the personnel file of Officer David Llanes, and to issue a new and different order denying disclosure in Los Angeles Superior Court case No. GA064193, entitled The People v. Carl Lewis Smith.

Spencer, P.J. Vogel (Miriam A.), J. Rothschild, J.

DIVISION ONE (Continued)

B181246 Jogani
v.
Jogani et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B191403 City of Pasadena etc.,
v.
Superior Court, Los Angeles County
(The People, r.p.i.)

On the Court's own motion, rehearing is granted.

DIVISION TWO

[illegible]

The judgment of convictions is affirmed and the matter remanded to the trial court for it to resentence defendant as follows: (1) to determine whether count 13 should be sentenced under section 667.6, subdivision (c), or otherwise within its discretion, consistent with this decision; (2) to provide a specific statement of reasons, separate from those justifying the decision merely to sentence consecutively, if the trial court resents count 13 under section 667.6, subdivision (c); (3) to stay execution of sentence of either the burglary conviction or the burglary and robbery convictions; and (4) to stay the execution of sentence on the assault with intent to commit a felony conviction. The trial court is further directed to amend the abstract of judgment accordingly.

Chavez, J.

We concur: Doi Todd, Acting P.J.
 Ashmann-Gerst, J.

DIVISION TWO (Continued)

B184750 In re TYLER K. (Not for Publication)
 Los Angeles County, D.C.S.
 v.
 Suzanne H.

The matter is remanded to the juvenile court with directions that the juvenile court shall: (1) direct the Department to comply with the notice provisions of the ICWA, and (2) amend the visitation orders specifying Mother's right to visit the minors, the frequency, and the duration of those visits, in compliance with section 366.26, subdivision (c)(4)(C). In all other respects, the orders are affirmed.

Chavez, J.

We concur: Doi Todd, Acting P.J.
 Ashmann-Gerst, J.

B184317 Stoll (Not for Publication)
v.
Congregational Homes, Inc.

The judgment is affirmed. Appellant shall pay the costs of appeal.

Chavez, J.

I concur: Doi Todd, Acting P.J.
I dissent: Ashmann-Gerst, J. (Opinion)

B182357 People
v.
Carmouche

Filed order denying petition for rehearing.

DIVISION THREE

B185247 Omar Dunlap (Not for Publication)

v.

Superior Court, Los Angeles County
(Bank of America, N.A., r.p.i.)

The order to show cause is discharged. The petition for writ of mandate is granted. Let a peremptory writ of mandate issue directing respondent superior court to vacate its June 22, 2005 order granting the Bank's motion to strike and to enter a new and different order denying the motion. Dunlap shall recover his costs in this proceeding. (Cal. Rules of Court, rule 56(l).)

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B185797 Activities Club et al (Not for Publication)

v.

Jones Management-Sunset Inc. et al

The judgment is affirmed. Respondents shall recover their costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B185024 People (Not for Publication)

v.

Ines Rosales

The trial court's ruling is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION FOUR

B187557 People (Not for Publication)
v.
Peinado

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Manella, J.

B186053 People (Not for Publication)
v.
Jesus J.

The order is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B187564 Los Angeles County, D.C.S. (Not for Publication)
v.
Julie B.

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

July 27, 2006 (Continued)

DIVISION FOUR (Continued)

B183169 Solano
v.
County of Los Angeles et al.

Filed order denying petition for rehearing and request for publication.

B186447 In re Donald Miller
On
Habeas Corpus

Filed order denying petition for rehearing.

DIVISION SIX

B183247 People (Not for Publication)
v.
Russell

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B186757 People (Not for Publication)
v.
Bible

The judgment (order of commitment) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

July 27, 2006 (Continued)

DIVISION SIX (Continued)

B179239 Guerra (Not for Publication)
v.
Headrick-Hanna
San Luis Obispo County Department of Child Support Services

The judgment (order) is affirmed. Costs are awarded to intervener and respondent San Luis Obispo County Department of Child Support Services.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B185787 Willis (Not for Publication)
v.
Borucki, etc.

The judgment is affirmed. Costs awarded to respondents.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B184542 People (Not for Publication)
v.
Sainez-Muniz

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

July 27, 2006 (Continued)

DIVISION SIX (Continued)

B188822 People (Not for Publication)
v.
Law

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B182183 People (Not for Publication)
v.
Gonzales

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

DIVISION SEVEN

B185805 Neuwirth
v.
Seidler-Feller

Filed order denying petition for rehearing.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

DIVISION EIGHT (Continued)

Each of the following:

B182284	People v. Giaimo
B183523	People v. Murry
B184445	People v. Roseman
B187582	DCFS v. Maria R.
B188964	DCFS v. Norman J.
B182312	Valley Outdoor v. Regency Outdoor Advertising
B183066	Outdoor Media Group v. Valley Outdoor, Inc.
B188248	DCFS v. Charmaine K.
B180761	Ehteshami v. Baca

Argument waived, cause submitted.

Each of the following:

B183049	Patchett v. Bergamot Station, Ltd.
B183542	Medina v. Medina

Oral argument continued to August 29, 2006 at 1:00 p.m.

B184626	Butler et al., v. Palmdale School District,
---------	---------------------------------------------------

Merits:

Argued by Martin Carpenter for respondent and appellant's counsel waived oral argument. Cause submitted.

B174750	Lyon, v. Bearden,
---------	-------------------------

Merits:

Argued by John Scholz for appellant/respondent and by Gerald Serlin for respondent/appellant. Cause submitted.

DIVISION EIGHT (Continued)

B183820 Kirby
v.
Sega of America, Inc., et al.,

Merits:
Argued by Courtney Pallko for appellant and by Tod L. Gamlen for respondents. Cause submitted.

Presiding Justice Cooper leaves the bench.

B184630 Cohen,
v.
DIRECTV, Inc.

Merits:
Argued by Michael Baumann for appellant and by Thomas Ferlauto for respondent. Cause submitted.

B186207 Jones,
v.
Law Offices Of Joseph Farzam,

Merits:
Argued by Rima Jones, appellant in propria persona. Cause submitted.

Presiding Justice Cooper returns to the bench.

Justice Flier leaves the bench.

July 27, 2006 (Continued)

DIVISION EIGHT (Continued)

B182309 Westside Condominium Partners LLC, et al.,
 v.
 Certain Underwriters At Lloyd's Of London;
 Insurance Company Of The State Of Pennsylvania,

Merits:

Argued by Richard Williams for appellants and by Rosemary Springer for respondent. Appearances only: Marilyn Bonetati for respondent, Certain Underwriters At Lloyd's Of London. Cause submitted.

Court recessed at 11:59 a.m.

Court reconvened at 1:00 p.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

B183120 People
 v.
 Berinti

Merits:

Argued by Dennis Fischer for appellant and by Richard T. Breen, Deputy Attorney General for respondent. Cause submitted.

B185424 Kyles et al.,
 v.
 Los Angeles County MTA

Merits:

Argued by Leo James Terrell for appellants and by Mary Reyna, Deputy County Counsel for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B186837 People
 v.
 Ramirez

Merits:

Argued by John Dwyer for appellant and by Sharlene Honnaka, Deputy Attorney General for respondent. Cause submitted.

B186048 People
 v.
 Kattan

Merits:

Argued by Thomas Beck for appellant and by John Yang, Deputy Attorney General for respondent. Cause submitted.

B184315 Friends Of The Raymond Theatre et al.,
 v.
 City Of Pasadena;
 Buchanan/Symonds Limited Partnership et al.,

Merits:

Argued by Craig Sherman for appellants, by Frank Rhemrev for respondent City of Pasadena, William Henley for respondent Buchanan/Symonds Ltd and by David P. Enzminger for respondent Pasadena Heritage. Cause submitted.

Justice Flier leaves the bench.

B178083 Talasazan,
 v.
 Kadjjar et al.,

Merits:

Argued by Roya Mohammadi for appellants and by Venessa Martinez for respondent. Cause submitted.

Court adjourned.

July 27, 2006 (Continued)

DIVISION EIGHT (Continued)

B182641 Carter (Certified for Publication)

V.

Superior Court, Los Angeles County
(The People Of The State Of California, r.p.i.)

The petition is granted. The trial court is ordered to (1) vacate its order authorizing petitioner to be involuntarily medicated; (2) if otherwise appropriate given the then-current status of the case, conduct a new hearing on the subject, at which hearing the parties shall be permitted to introduce additional evidence; and (3) determine whether, under the criteria established by Sell and section 1370, antipsychotic medication should be administered to petitioner involuntarily. Our previous stay order is dissolved.

Rubin, Acting P.J.

We concur: Boland, J.
 Flier, J.

B186780 Los Angeles County, D.C.S. (Not for Publication)

V.

July B.,

The matter is reversed and remanded with directions for the juvenile court to evaluate whether Mother should, in light of any subsequent events, receive additional reunification services.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.

B173022 Karlsson, et al.

V.

Ford Motor Company

Filed order denying petition for rehearing.